

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ALEXANDER P. BEBRIS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 23-cv-03715 (UNA)
)	
NATIONAL CENTER FOR MISSING)	
AND EXPLOITED CHILDREN, INC.,)	
)	
Defendant.)	

MEMORANDUM OPINION

This matter is before the court on consideration of plaintiff's *pro se* complaint, ECF No. 1, and application to proceed *in forma pauperis* ("IFP"), ECF No. 2. After review, the court grants the IFP application and, for the reasons below, it dismisses the complaint for failure to state a claim, *see* 28 U.S.C. § 1915(e)(2)(B)(ii).

Plaintiff sues the National Center for Missing & Exploited Children ("NCMEC"), seeking release of records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. NCMEC, however, is a non-profit organization that is not subject to the FOIA, which applies strictly to federal agencies, *see id.* §§ 551(1), 552(f)(1); *Lazaridis v. U.S. Dep't of Justice*, 713 F. Supp. 2d 64, 67–69 (D.D.C. 2010) (finding that NCMEC is not subject to the FOIA and dismissing the plaintiff's FOIA claims against it for failure to state a claim because NCMEC's receipt of federal funding "is entirely ancillary to its [informational] and educational mission.").

The court therefore dismisses this action. Plaintiff's motion to appoint counsel, ECF No. 3, and motion to compel, ECF No. 4, are both denied as moot. A separate order accompanies this memorandum opinion.

DATE: February 2, 2024

/s/ CHRISTOPHER R. COOPER
United States District Judge